

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/660,344  
 Applicant : Darin Barri et al.  
 Confirmation No. : 5151  
 Filed : September 10, 2003  
 TC/A.U. : 3711  
 Examiner : Cegielnik, Urszula M.  
 Customer No. : 27896  
 Docket No. : MAT 3H5 / 14978(1)  
 Title : Breath Sensitive Toy

## TRANSMITTAL OF AMENDMENT/REPLY TO NON-FINAL OFFICE ACTION

**Enclosed** are the following documents in response to the Office action mailed January 6, 2009, the period for response to which extends to May 6, 2009, for the above-identified application:

<input checked="" type="checkbox"/> Amendment After Non-Final (pages 1 to 1) <input type="checkbox"/> Specification (pages        to        ) <input checked="" type="checkbox"/> Claims (pages 2 to 6) <input type="checkbox"/> Abstract (pages        to        ) <input checked="" type="checkbox"/> Applicant Arguments Made in an Amendment (pages 7 to 11)	<input checked="" type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement and Transmittal Letter <input type="checkbox"/> Declaration Under 37 C.F.R. §1.131 or §1.132
<input type="checkbox"/> Sheets of Drawings including Figures	<input type="checkbox"/> Other:

THE FEES HAVE BEEN CALCULATED AS FOLLOWS:

	CLAIMS REMAINING AFTER AMENDMENT	CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	20	- 20 =	0	x \$52.00 \$26.00	\$0.00
Independent Claims	3	- 3 =	0	x \$220.00 \$110.00	\$0.00
Subtotal Total Amendment Fee					\$0.00
Other fees: \$130.00 for a one month Extension of Time					\$130.00
<b>TOTAL FEE DUE</b>					<b>\$130.00</b>

- ☐ Applicant is entitled to Small Entity Status  
☒ Credit card payment has been submitted concurrently with the filing of this Reply.

The Director is hereby authorized to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. In addition, the Director is hereby authorized to charge any additional appropriate fees that may be required during the pendency of the above-identified application (e.g., in the concurrent or in any future reply), as well as to credit any overpayment, to Deposit Account No. **05-0460**.

Dated: May 6, 2009

Respectfully submitted by:

**EDELL, SHAPIRO & FINNAN, LLC**  
**CUSTOMER No. 27896**  
1901 Research Boulevard, Suite 400  
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/Thomas W. Lynch/

Thomas W. Lynch  
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